

Representative Larry B. Wiley proposes the following substitute bill:

UTAH SCHOOL SEISMIC HAZARD

INVENTORY

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Larry B. Wiley

Senate Sponsor: Jon J. Greiner

LONG TITLE

General Description:

This bill establishes requirements relating to public school seismic safety.

Highlighted Provisions:

This bill:

▶ enacts the School Seismic Safety Act which:

• requires a school district or charter school to conduct a seismic evaluation of each facility used by the school district or charter school using specified standards;

• creates and specifies the duties of the Public School Seismic Safety Committee;

• directs the State Board of Education to adopt rules;

• provides certain immunity from suit relating to a seismic safety evaluation;

▶ repeals the School Seismic Safety Act on July 1, 2020; and

▶ makes technical changes.

Monies Appropriated in this Bill:

~~H→ [—This bill appropriates:~~

~~————▶ for fiscal year 2010-11 only, \$25,000 from the General Fund to the State Board of Education.] None ←H~~



1st Sub. H.B. 72

26 **Other Special Clauses:**

27 This bill takes effect on July 1, 2010.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63G-7-201**, as renumbered and amended by Laws of Utah 2008, Chapter 382

31 **63I-2-253**, as last amended by Laws of Utah 2008, Second Special Session, Chapter 6

32 ~~H→ [—63J-1-602, as enacted by Laws of Utah 2009, Chapter 368] ←H~~

33 ENACTS:

34 **53A-15-1201**, Utah Code Annotated 1953

35 **53A-15-1202**, Utah Code Annotated 1953

36 **53A-15-1203**, Utah Code Annotated 1953

37 **53A-15-1204**, Utah Code Annotated 1953



39 *Be it enacted by the Legislature of the state of Utah:*

40 Section 1. Section **53A-15-1201** is enacted to read:

41 **Part 12. School Seismic Safety Act**

42 **53A-15-1201. Title.**

43 This part is known as the "School Seismic Safety Act."

44 Section 2. Section **53A-15-1202** is enacted to read:

45 **53A-15-1202. Definitions.**

46 As used in this part:

47 (1) "Committee" means the Public School Seismic Safety Committee created in

48 Section 53A-15-1203.

49 (2) "Evaluation score worksheet" means the appropriate scoring worksheet for the

50 location and type of building, as contained within federal guidelines.

51 (3) "Federal guidelines" means guidelines and procedures specified in "Rapid Visual
52 Screening of Buildings for Potential Seismic Hazards: A Handbook, 2nd Edition" published by
53 the United States Federal Emergency Management Agency.

54 (4) "Threshold score" means a score on an evaluation score worksheet which indicates
55 that a building warrants a more detailed structural evaluation for its intended use.

56 Section 3. Section **53A-15-1203** is enacted to read:

57 53A-15-1203. Public School Seismic Safety Committee.

58 (1) There is created the Public School Seismic Safety Committee consisting of seven
59 members.

60 (2) (a) The governor shall appoint three members who are licensed structural engineers,
61 including:

62 (i) one member from the public or private sector appointed from a list of at least two
63 names submitted by the Utah Seismic Safety Commission;

64 (ii) one member from the public or private sector appointed from a list of at least two
65 names submitted by the ~~H~~→ [Utah Division of Facilities Construction and Management]
65a state superintendent of public instruction ~~←H~~ ; and

66 (iii) one member from the public or private sector, after considering recommendations
67 from professional associations representing structural engineers.

68 (b) The state superintendent shall appoint four members, including:

69 (i) one member representing a small school district;

70 (ii) one member representing a medium-sized school district;

71 (iii) one member representing a large school district; and

72 (iv) one member from the state superintendent's staff.

73 (3) (a) Except as required by Subsection (3)(b), each member is appointed to a
74 four-year term.

75 (b) Notwithstanding the requirement of Subsection (3)(a), the governor and state
76 superintendent shall, at the time of appointment, adjust the length of terms to ensure that the
77 terms of committee members are staggered so that approximately half of the committee is
78 appointed every two years.

79 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
80 appointed for the unexpired term in the same manner as the vacated member was chosen.

81 (4) A member may not receive compensation or benefits for the member's service ~~H~~→ [, but
82 may receive per diem and travel expenses in accordance with:

83 —— (a) Section 63A-3-106;

84 —— (b) Section 63A-3-107; and

85 —— (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
86 63A-3-107] ~~←H~~ .

87 (5) (a) The committee shall elect one of the members to serve as chair.

88 (b) A majority of the members of the committee constitutes a quorum of the
 89 committee.

90 (c) The action of a majority of a quorum constitutes the action of the committee.

91 (6) The state superintendent's staff shall provide staff support to the committee.

92 (7) The committee shall:

93 (a) advise and make recommendations to the Legislature, governor, state
 94 superintendent, and State Board of Education on seismic safety issues in public schools;

95 (b) provide technical assistance to the State Board of Education, state superintendent,
 96 school districts, and charter schools in conducting and overseeing the seismic safety
 97 evaluations required by Section 53A-15-1204; and

98 (c) after completion of the seismic safety evaluations required by Subsection
 99 53A-15-1204(2), establish the threshold score.

100 Section 4. Section **53A-15-1204** is enacted to read:

101 **53A-15-1204. Seismic safety evaluation.**

102 (1) On or before October 1, 2010, each school district and charter school shall provide
 103 the following information about each school to the Public School Seismic Safety Committee:

104 (a) school address;

105 (b) year of:

106 (i) initial construction; and

107 (ii) last significant ~~H~~→ seismic related ←~~H~~ improvement;

108 (c) square footage;

109 (d) total number of staff and enrolled students; and

110 (e) a copy of any structural or seismic evaluation ~~H~~→ [conducted] or summary of seismic
 110a or structural evaluations completed ←~~H~~ .

111 (2) As funding ~~H~~→ [allocated by the Public School Seismic Safety Committee] appropriated
 111a to the State Board of Education ←~~H~~ allows, each
 112 school district and charter school shall:

113 (a) conduct a seismic safety rapid visual screening of each facility used by the school
 114 district or charter school ~~H~~→ that has not been evaluated ←~~H~~ in accordance with federal
 114a guidelines ~~H~~→ or a more detailed seismic structural evaluation ←~~H~~ ;

115 (b) complete the appropriate evaluation score worksheet; and

116 (c) report its findings to the State Board of Education, including for each building:

117 (i) the evaluation score worksheet;

118 (ii) the current estimated number of building occupants during normal business hours;

119 and

120 (iii) the square footage.

121 (3) The rapid visual screening and completion of the evaluation score worksheet under
 122 Subsection (2) shall be supervised or performed by a licensed professional structural engineer
 123 or a licensed professional civil engineer with experience in seismic evaluations.

124 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 125 State Board of Education, after consultation with the Public School Seismic Safety Committee,
 126 shall make rules to establish standardized forms and procedures for conducting and reporting
 127 the results of the rapid visual screening.

128 (5) ~~H~~→ [(a)] ←~~H~~ The State Board of Education shall reimburse school districts and charter
 129 schools for the costs of complying with this section from funds appropriated for that purpose.

130 ~~H~~→ [(b) If reimbursement requests from school districts and charter schools exceed
 131 available funds, the State Board of Education shall proportionately reduce the allocation for
 132 each reimbursement request to match the level of available funds.

133 ~~(c) (i) If reimbursement requests from school districts and charter schools are less than~~
 134 available funds, the State Board of Education, after consultation with the Public School
 135 Seismic Safety Committee, shall allocate any remaining funds for additional evaluations of
 136 buildings that receive a score on the building's evaluation score worksheet that is below the
 137 threshold score established by the committee.

138 ~~(ii) If additional evaluations are funded pursuant to Subsection (5)(c)(i), the State~~
 139 Board of Education, after consultation with the Public School Seismic Safety Committee, shall
 140 require that the additional evaluations be performed using a nationally recognized standard.

141 ~~(iii) The State Board of Education may require matching funds as a condition of~~
 142 funding any additional evaluations.] ←~~H~~

143 (6) The Public School Seismic Safety Committee shall report to the Education Interim
 144 Committee the provisional findings of the statewide seismic evaluation, including any
 145 additional evaluations, on or before October 31, 2012, including:

146 (a) by school district or charter school, the total number of screened buildings and the
 147 score for each building;

148 (b) the total estimated number of building occupants;

149 (c) the total estimated number of building occupants in structures that receive a score

150 on the building's evaluation score worksheet that is below the threshold score established by
151 the committee;

152 (d) the total facility square footage statewide;

153 (e) the total facility square footage statewide in structures that receive a score on the
154 building's evaluation score worksheet that is below the threshold score established by the
155 committee; and

156 (f) the number of school districts, charter schools, and facilities for which no report
157 was submitted.

158 (7) Immunity from suit of a governmental entity is not waived if the injury arises out
159 of, in connection with, or results from a seismic safety evaluation, including a seismic safety
160 rapid visual screening, or failure to conduct a seismic safety evaluation, including a seismic
161 safety rapid visual screening.

162 (8) (a) A seismic safety evaluation, seismic safety rapid visual screening, score,
163 worksheet, report, or any document created or prepared as a result of or in connection with a
164 seismic safety evaluation, is not subject to discovery, subpoena, or similar compulsory process
165 in any civil, judicial, or administrative proceeding.

166 (b) An individual or organization with access to the data described in Subsection (8)(a)
167 may not be compelled to testify with regard to a seismic safety evaluation or proceedings in
168 connection with a seismic safety evaluation.

169 (c) Documents described in Subsection (8)(a) and testimony described in Subsection
170 (8)(b) are not admissible in a civil, judicial, or administrative proceeding.

171 Section 5. Section **63G-7-201** is amended to read:

172 **63G-7-201. Immunity of governmental entities from suit.**

173 (1) Except as may be otherwise provided in this chapter, each governmental entity and
174 each employee of a governmental entity are immune from suit for any injury that results from
175 the exercise of a governmental function.

176 (2) Notwithstanding the waiver of immunity provisions of Section 63G-7-301, a
177 governmental entity, its officers, and its employees are immune from suit for any injury or
178 damage resulting from the implementation of or the failure to implement measures to:

179 (a) control the causes of epidemic and communicable diseases and other conditions
180 significantly affecting the public health or necessary to protect the public health as set out in

181 Title 26A, Chapter 1, Local Health Departments;

182 (b) investigate and control suspected bioterrorism and disease as set out in Title 26,
183 Chapter 23b, Detection of Public Health Emergencies Act; ~~[and]~~

184 (c) respond to a national, state, or local emergency, a public health emergency as
185 defined in Section 26-23b-102, or a declaration by the President of the United States or other
186 federal official requesting public health related activities[-]; and

187 (d) conduct a seismic safety evaluation, including a seismic safety rapid visual
188 screening pursuant to Title 53A, Chapter 15, Part 12, School Seismic Safety Act.

189 Section 6. Section **63I-2-253** is amended to read:

190 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

191 (1) Section 53A-1-403.5 is repealed July 1, 2012.

192 (2) Subsection 53A-1-603(5) is repealed July 1, 2010.

193 (3) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

194 ~~[(4) Section 53A-3-702 is repealed July 1, 2008.]~~

195 ~~[(5) Section 53A-6-112 is repealed July 1, 2009.]~~

196 ~~[(6)] (4) Subsection 53A-13-110(3) is repealed July 1, 2013.~~

197 (5) Title 53A, Chapter 15, Part 12, School Seismic Safety Act, is repealed July 1, 2020.

198 ~~[(7)] (6) Section 53A-17a-152 is repealed July 1, 2010.~~

199 ~~[(8)] (7) Section 53A-17a-162 is repealed July 1, 2012.~~

200 ~~H→ [Section 7. Section 63J-1-602 is amended to read:~~

201 ~~—— 63J-1-602. Nonlapsing accounts and funds:~~

202 ~~—— (1) The following revenue collections, appropriations from a fund or account, and~~
203 ~~appropriations to a program are nonlapsing:~~

204 ~~—— (a) appropriations made to the Legislature and its committees;~~

205 ~~—— (b) funds collected by the grain grading program, as provided in Section 4-2-2;~~

206 ~~—— (c) the Salinity Offset Fund created in Section 4-2-8.5;~~

207 ~~—— (d) the Invasive Species Mitigation Fund created in Section 4-2-8.7;~~

208 ~~—— (e) funds collected by pesticide dealer license registration fees, as provided in Section~~
209 ~~4-14-3;~~

210 ~~—— (f) funds collected by pesticide applicator business registration fees, as provided in~~
211 ~~Section 4-14-13;~~

212 ~~H→ (g) the Rangeland Improvement Fund created in Section 4-20-2;~~
213 ~~———— (h) funds deposited as dedicated credits under the Insect Infestation Emergency Control~~
214 ~~Act, as provided in Section 4-35-6;~~
215 ~~———— (i) the Percent-for-Art Program created in Section 9-6-404;~~
216 ~~———— (j) the Centennial History Fund created in Section 9-8-604;~~
217 ~~———— (k) the Uintah Basin Revitalization Fund, as provided in Section 9-10-108;~~
218 ~~———— (l) the Navajo Revitalization Fund created in Section 9-11-104;~~
219 ~~———— (m) the LeRay McAllister Critical Land Conservation Program created in Section~~
220 ~~11-38-301;~~
221 ~~———— (n) the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403;~~
222 ~~———— (o) fees deposited as dedicated credits for hazardous waste plan reviews, as provided in~~
223 ~~Section 19-6-120;~~
224 ~~———— (p) an appropriation made to the Division of Wildlife Resources for the appraisal and~~
225 ~~purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6;~~
226 ~~———— (q) award monies under the Crime Reduction Assistance Program, as provided under~~
227 ~~Section 24-1-19;~~
228 ~~———— (r) funds collected from the emergency medical services grant program, as provided in~~
229 ~~Section 26-8a-207;~~
230 ~~———— (s) fees and other funding available to purchase training equipment and to administer~~
231 ~~tests and conduct quality assurance reviews, as provided in Section 26-8a-208;~~
232 ~~———— (t) funds collected as a result of a sanction under Section 1919 of Title XIX of the~~
233 ~~federal Social Security Act, as provided in Section 26-18-3;~~
234 ~~———— (u) the Utah Health Care Workforce Financial Assistance Program created in Section~~
235 ~~26-46-102;~~
236 ~~———— (v) monies collected from subscription fees for publications prepared or distributed by~~
237 ~~the insurance commissioner, as provided in Section 31A-2-208;~~
238 ~~———— (w) monies received by the Insurance Department for administering, investigating~~
239 ~~under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108;~~
240 ~~———— (x) certain monies received for penalties paid under the Insurance Fraud Act, as~~
241 ~~provided in Section 31A-31-109;~~
242 ~~———— (y) the fund for operating the state's Federal Health Care Tax Credit Program, as ←H~~

243 ~~H→ provided in Section 31A-38-104;~~
 244 ~~—— (z) certain funds in the Department of Workforce Services' program for the education,~~
 245 ~~training, and transitional counseling of displaced homemakers, as provided in Section~~
 246 ~~35A-3-114;~~
 247 ~~—— (aa) the Employment Security Administration Fund created in Section 35A-4-505;~~
 248 ~~—— (bb) the Special Administrative Expense Fund created in Section 35A-4-506;~~
 249 ~~—— (cc) funding for a new program or agency that is designated as nonlapsing under~~
 250 ~~Section 36-24-101;~~
 251 ~~—— (dd) the Oil and Gas Conservation Account created in Section 40-6-14.5;~~
 252 ~~—— (ee) funds available to the State Tax Commission for purchase and distribution of~~
 253 ~~license plates and decals, as provided in Section 41-1a-1201;~~
 254 ~~—— (ff) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
 255 ~~provided in Section 41-1a-1221;~~
 256 ~~—— (gg) certain fees collected for administering and enforcing the Motor Vehicle Business~~
 257 ~~Regulation Act, as provided in Section 41-3-601;~~
 258 ~~—— (hh) certain fees for the cost of electronic payments under the Motor Vehicle Business~~
 259 ~~Regulation Act, as provided in Section 41-3-604;~~
 260 ~~—— (ii) the Off-Highway Access and Education Restricted Account created in Section~~
 261 ~~41-22-19.5;~~
 262 ~~—— (jj) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
 263 ~~provided in Section 41-22-36;~~
 264 ~~—— (kk) monies collected under the Notaries Public Reform Act, as provided under~~
 265 ~~46-1-23;~~
 266 ~~—— (ll) certain funds associated with the Law Enforcement Operations Account, as~~
 267 ~~provided in Section 51-9-411;~~
 268 ~~—— (mm) the Public Safety Honoring Heroes Restricted Account created in Section~~
 269 ~~53-1-118;~~
 270 ~~—— (nn) funding for the Search and Rescue Financial Assistance Program, as provided in~~
 271 ~~Section 53-2-107;~~
 272 ~~—— (oo) appropriations made to the Department of Public Safety from the Department of~~
 273 ~~Public Safety Restricted Account, as provided in Section 53-3-106; ←H~~

274 ~~H→ (pp) appropriations to the Motorcycle Rider Education Program, as provided in Section~~
 275 ~~53-3-905;~~
 276 ~~—— (qq) fees collected by the State Fire Marshal Division under the Utah Fire Prevention~~
 277 ~~and Safety Act, as provided in Section 53-7-314;~~
 278 ~~—— (rr) the DNA Specimen Restricted Account created in Section 53-10-407;~~
 279 ~~—— (ss) monies appropriated to the State Board of Education for:~~
 280 ~~—— (i) reimbursement of school district and charter school seismic safety evaluation costs~~
 281 ~~pursuant to Section 53A-15-1204; and~~
 282 ~~—— (ii) expenses of the Public School Seismic Safety Committee created in Section~~
 283 ~~53A-15-1203;~~
 284 ~~—— [(ss)] (tt) the minimum school program, as provided in Section 53A-17a-105;~~
 285 ~~—— [(tt)] (uu) certain funds appropriated from the Uniform School Fund to the State Board~~
 286 ~~of Education for new teacher bonus and performance-based compensation plans, as provided in~~
 287 ~~Section 53A-17a-148;~~
 288 ~~—— [(uu)] (vv) certain funds appropriated from the Uniform School Fund to the State~~
 289 ~~Board of Education for implementation of proposals to improve mathematics achievement test~~
 290 ~~scores, as provided in Section 53A-17a-152;~~
 291 ~~—— [(vv)] (ww) the School Building Revolving Account created in Section 53A-21-401;~~
 292 ~~—— [(ww)] (xx) monies received by the State Office of Rehabilitation for the sale of certain~~
 293 ~~products or services, as provided in Section 53A-24-105;~~
 294 ~~—— [(xx)] (yy) the State Board of Regents, as provided in Section 53B-6-104;~~
 295 ~~—— [(yy)] (zz) certain funds appropriated from the General Fund to the State Board of~~
 296 ~~Regents for teacher preparation programs, as provided in Section 53B-6-104;~~
 297 ~~—— [(zz)] (aaa) a certain portion of monies collected for administrative costs under the~~
 298 ~~School Institutional Trust Lands Management Act, as provided under Section 53C-3-202;~~
 299 ~~—— [(aaa)] (bbb) certain surcharges on residence and business telecommunications access~~
 300 ~~lines imposed by the Public Service Commission, as provided in Section 54-8b-10;~~
 301 ~~—— [(bbb)] (ccc) certain fines collected by the Division of Occupational and Professional~~
 302 ~~Licensing for violation of unlawful or unprofessional conduct that are used for education and~~
 303 ~~enforcement purposes, as provided in Section 58-17b-505;~~
 304 ~~—— [(ccc)] (ddd) the Nurse Education and Enforcement Fund created in Section ←H~~

305 ~~H→ 58-31b-103;~~
 306 ~~—— [(ddd)] (eee) funding of the controlled substance database, as provided in Section~~
 307 ~~58-37-7.7;~~
 308 ~~—— [(eee)] (fff) the Certified Nurse Midwife Education and Enforcement Fund created in~~
 309 ~~Section 58-44a-103;~~
 310 ~~—— [(fff)] (ggg) funding for the building inspector's education program, as provided in~~
 311 ~~Section 58-56-9;~~
 312 ~~—— [(ggg)] (hhh) certain fines collected by the Division of Occupational and Professional~~
 313 ~~Licensing for use in education and enforcement of the Security Personnel Licensing Act, as~~
 314 ~~provided in Section 58-63-103;~~
 315 ~~—— [(hhh)] (iii) the Professional Geologist Education and Enforcement Fund created in~~
 316 ~~Section 58-76-103;~~
 317 ~~—— [(iii)] (jjj) certain monies in the Water Resources Conservation and Development~~
 318 ~~Fund, as provided in Section 59-12-103;~~
 319 ~~—— [(jjj)] (kkk) funds paid to the Division of Real Estate for the cost of a criminal~~
 320 ~~background check for broker and sales agent licenses, as provided in Section 61-2-9;~~
 321 ~~—— [(kkk)] (lll) the Utah Housing Opportunity Restricted Account created in Section~~
 322 ~~61-2-28;~~
 323 ~~—— [(lll)] (mmm) funds paid to the Division of Real Estate for the cost of a criminal~~
 324 ~~background check for a mortgage loan license, as provided in Section 61-2c-202;~~
 325 ~~—— [(mmm)] (nnn) funds paid to the Division of Real Estate in relation to examination of~~
 326 ~~records in an investigation, as provided in Section 61-2c-401;~~
 327 ~~—— [(nnn)] (ooo) certain funds donated to the Department of Human Services, as provided~~
 328 ~~in Section 62A-1-111;~~
 329 ~~—— [(ooo)] (ppp) certain funds donated to the Division of Child and Family Services, as~~
 330 ~~provided in Section 62A-4a-110;~~
 331 ~~—— [(ppp)] (qqq) the Mental Health Therapist Grant and Scholarship Program, as provided~~
 332 ~~in Section 62A-13-109;~~
 333 ~~—— [(qqq)] (rrr) assessments for DUI violations that are forwarded to an account created by~~
 334 ~~a county treasurer, as provided in Section 62A-15-503;~~
 335 ~~—— [(rrr)] (sss) appropriations to the Division of Services for People with Disabilities, as ←H~~

336 ~~H→ provided in Section 62A-5-102;~~
 337 ~~——— [(sss)] (ttt) certain donations to the Division of Substance Abuse and Mental Health, as~~
 338 ~~provided in Section 62A-15-103;~~
 339 ~~——— [(ttt)] (uuu) certain funds received by the Division of Parks and Recreation from the~~
 340 ~~sale or disposal of buffalo, as provided under Section 63-11-19.2;~~
 341 ~~——— [(uuu)] (vvv) revenue for golf user fees at the Wasatch Mountain State Park, Palisades~~
 342 ~~State Park, or Jordan River State Park, as provided under Section 63-11-19.5;~~
 343 ~~——— [(vvv)] (www) revenue for golf user fees at the Green River State Park, as provided~~
 344 ~~under Section 63-11-19.6;~~
 345 ~~——— [(www)] (xxx) the Centennial Nonmotorized Paths and Trail Crossings Program~~
 346 ~~created under Section 63-11a-503;~~
 347 ~~——— [(xxx)] (yyy) the Bonneville Shoreline Trail Program created under Section~~
 348 ~~63-11a-504;~~
 349 ~~——— [(yyy)] (zzz) the account for the Utah Geological Survey, as provided in Section~~
 350 ~~63-73-10;~~
 351 ~~——— [(zzz)] (aaaa) the Risk Management Fund created under Section 63A-4-201;~~
 352 ~~——— [(aaaa)] (bbbb) the Child Welfare Parental Defense Fund created in Section~~
 353 ~~63A-11-203;~~
 354 ~~——— [(bbbb)] (cccc) the Constitutional Defense Restricted Account created in Section~~
 355 ~~63C-4-103;~~
 356 ~~——— [(cccc)] (dddd) a portion of the funds appropriated to the Utah Seismic Safety~~
 357 ~~Commission, as provided in Section 63C-6-104;~~
 358 ~~——— [(dddd)] (eeee) funding for the Medical Education Program administered by the~~
 359 ~~Medical Education Council, as provided in Section 63C-8-102;~~
 360 ~~——— [(eeee)] (ffff) certain monies payable for commission expenses of the Pete Suazo Utah~~
 361 ~~Athletic Commission, as provided under Section 63C-11-301;~~
 362 ~~——— [(ffff)] (gggg) funds collected for publishing the Division of Administrative Rules'~~
 363 ~~publications, as provided in Section 63G-3-402;~~
 364 ~~——— [(gggg)] (hhhh) the appropriation to fund the Governor's Office of Economic~~
 365 ~~Development's Enterprise Zone Act, as provided in Section 63M-1-416;~~
 366 ~~——— [(hhhh)] (iiii) the Tourism Marketing Performance Account, as provided in Section ←H~~

367 ~~H→ 63M-1-1406;~~
 368 ~~—— [(iiii)] (jjjj) certain funding for rural development provided to the Office of Rural~~
 369 ~~Development in the Governor's Office of Economic Development, as provided in Section~~
 370 ~~63M-1-1604;~~
 371 ~~—— [(jjjj)] (kkkk) certain monies in the Development for Disadvantaged Rural~~
 372 ~~Communities Restricted Account, as provided in Section 63M-1-2003;~~
 373 ~~—— [(kkkk)] (llll) appropriations to the Utah Science Technology and Research Governing~~
 374 ~~Authority, created under Section 63M-2-301, as provided under Section 63M-3-302;~~
 375 ~~—— [(llll)] (mmmm) certain monies in the Rural Broadband Service Fund, as provided in~~
 376 ~~Section 63M-1-2303;~~
 377 ~~—— [(mmmm)] (nnnn) funds collected from monthly offender supervision fees, as provided~~
 378 ~~in Section 64-13-21.2;~~
 379 ~~—— [(nnnn)] (oooo) funds collected by the housing of state probationary inmates or state~~
 380 ~~parole inmates, as provided in Subsection 64-13e-104(2);~~
 381 ~~—— [(oooo)] (pppp) the Sovereign Lands Management account created in Section 65A-5-1;~~
 382 ~~—— [(pppp)] (qqqq) certain forestry and fire control funds utilized by the Division of~~
 383 ~~Forestry, Fire, and State Lands, as provided in Section 65A-8-103;~~
 384 ~~—— [(qqqq)] (rrrr) the Department of Human Resource Management user training program,~~
 385 ~~as provided in Section 67-19-6;~~
 386 ~~—— [(rrrr)] (ssss) funds for the University of Utah Poison Control Center program, as~~
 387 ~~provided in Section 69-2-5.5;~~
 388 ~~—— [(ssss)] (tttt) appropriations to the Transportation Corridor Preservation Revolving~~
 389 ~~Loan Fund, as provided in Section 72-2-117;~~
 390 ~~—— [(tttt)] (uuuu) appropriations to the Local Transportation Corridor Preservation Fund,~~
 391 ~~as provided in Section 72-2-117.5;~~
 392 ~~—— [(uuuu)] (vvvv) appropriations to the Tollway Restricted Special Revenue Fund, as~~
 393 ~~provided in Section 77-2-120;~~
 394 ~~—— [(vvvv)] (wwww) appropriations to the Aeronautics Construction Revolving Loan~~
 395 ~~Fund, as provided in Section 77-2-122;~~
 396 ~~—— [(wwww)] (xxxx) appropriations to the State Park Access Highways Improvement~~
 397 ~~Program, as provided in Section 72-3-207; ←H~~

398 ~~It~~ ~~→~~ ~~[(xxxx)]~~ ~~(yyyy)~~ the Traffic Noise Abatement Program created in Section 72-6-112;
 399 ~~—~~ ~~[(yyyy)]~~ ~~(zzzz)~~ certain funds received by the Office of the State Engineer for well
 400 drilling fines or bonds, as provided in Section 73-3-25;
 401 ~~—~~ ~~[(zzzz)]~~ ~~(aaaaa)~~ certain monies appropriated to increase the carrying capacity of the
 402 Jordan River that are transferred to the Division of Parks and Recreation, as provided in
 403 Section 73-10e-1;
 404 ~~—~~ ~~[(aaaaa)]~~ ~~(bbbbbb)~~ certain fees for the cost of electronic payments under the State
 405 Boating Act, as provided in Section 73-18-25;
 406 ~~—~~ ~~[(bbbbbb)]~~ ~~(ccccc)~~ certain monies appropriated from the Water Resources Conservation
 407 and Development Fund, as provided in Section 73-23-2;
 408 ~~—~~ ~~[(ccccc)]~~ ~~(dddddd)~~ the Lake Powell Pipeline Project Operation and Maintenance Fund
 409 created in Section 73-28-404;
 410 ~~—~~ ~~[(dddddd)]~~ ~~(eeeee)~~ certain funds in the Water Development and Flood Mitigation
 411 Reserve Account, as provided in Section 73-103-1;
 412 ~~—~~ ~~[(eeeee)]~~ ~~(fffff)~~ certain funds appropriated for compensation for special prosecutors, as
 413 provided in Section 77-10a-19;
 414 ~~—~~ ~~[(fffff)]~~ ~~(ggggg)~~ the Indigent Aggravated Murder Defense Trust Fund created in
 415 Section 77-32-601;
 416 ~~—~~ ~~[(ggggg)]~~ ~~(hhhhh)~~ the Indigent Felony Defense Trust Fund created in Section
 417 77-32-701;
 418 ~~—~~ ~~[(hhhhh)]~~ ~~(iiiiii)~~ funds donated or paid to a juvenile court by private sources, as
 419 provided in Subsection 78A-6-203(c);
 420 ~~—~~ ~~[(iiiiii)]~~ ~~(jjjjj)~~ a state rehabilitative employment program, as provided in Section
 421 78A-6-210; and
 422 ~~—~~ ~~[(jjjjj)]~~ ~~(kkkkk)~~ fees from the issuance and renewal of licenses for certified court
 423 interpreters, as provided in Section 78B-1-146.
 424 ~~—~~ (2) No revenue collection, appropriation from a fund or account, or appropriation to a
 425 program may be treated as nonlapsing unless:
 426 ~~—~~ (a) it is expressly referenced by this section;
 427 ~~—~~ (b) it is designated in a condition of appropriation in the appropriations bill; or
 428 ~~—~~ (c) nonlapsing authority is granted under Section 63J-1-603. ~~←It~~

429 ~~—— (3) Each legislative appropriations subcommittee shall review the accounts and funds~~
430 ~~that have been granted nonlapsing authority under this section or Section 63J-1-603.~~

431 ~~—— Section 8. Appropriation:~~

432 ~~—— (1) There is appropriated \$25,000 from the General Fund for fiscal year 2010-11 only,~~
433 ~~to the State Board of Education for:~~

434 ~~—— (a) reimbursement of school district and charter school seismic safety evaluation costs~~
435 ~~incurred pursuant to Section 53A-15-1204; and~~

436 ~~—— (b) expenses of the Public School Seismic Safety Committee created under Section~~
437 ~~53A-15-1203.~~

438 ~~—— (2) The funds appropriated in Subsection (1) are non-lapsing.~~

439 ~~—— Section 9] Section 7 ←H . Effective date.~~

440 This bill takes effect on July 1, 2010.

H.B. 72 1st Sub. (Buff) - Utah School Seismic Hazard Inventory - As Amended

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits to businesses. Local school districts and charter school may incur additional expenses related to the seismic hazard inventories outlined in the bill.
